

CCTV Policy Statement

Introduction

Cowes Yacht Haven Ltd (CYH) uses Closed Circuit Television (CCTV) to provide a safe and secure environment for employees and visitors to the CYH's premises, and to protect CYH and customer property. This policy describes the use and management of the CCTV equipment and images, in compliance with the General Data Protection Regulations (GDPR) and the Information Commissioner's Office (ICO) CCTV Video Surveillance guidance. The CCTV system records video and still images. There is no audio recording and therefore conversations are not recorded on CCTV (Please see the section below on covert recording).

Purposes for the CCTV system

The purposes of the CCTV system are to:

- Assist in the prevention or detection of crime or equivalent malpractice.
- Assist in the identification and prosecution of offenders.
- Monitor the security of the CYH business premises.
- Ensure that health and safety rules and Company procedures are being followed.
- Assist with the identification of unauthorised actions or unsafe working practices that might result in disciplinary proceedings being instituted against employees or customers and to help in providing relevant evidence.
- Promote productivity and efficiency.
- Assist customers with insurance claims following damage caused to their property whilst on CYH premises.
- Assist with the management of the CYH car park.

Location of cameras

Cameras are located at strategic points throughout CYH's premises, and principally at the entrance and exit points. CYH has positioned cameras so they only cover communal or public areas on the premises. They have been positioned so that they provide clear images. No camera focuses on, or would ever focus on toilets, shower facilities, changing rooms, staff

areas, staff break rooms or private offices. All cameras (with the exception of any that may be temporarily set up for covert recording) are clearly visible.

Appropriate signs are prominently and clearly displayed so that employees, clients, customers, contractors and all visitors are aware they are entering an area covered by CCTV.

Recording and retention of images

Images produced by the CCTV equipment are of a high definition so that they are effective for the purposes for which they are intended. Maintenance checks are undertaken on a regular basis to ensure the system is working properly and that the cameras are producing high quality images. Images may be recorded either in constant real-time (24 hours a day throughout the year), or only at certain times, as the needs of the business dictate.

The system records digital images, and any CCTV images that are held on the CCTV hard drive are deleted and overwritten on a recycling basis and are not held for more than 30 days. Once a hard drive has reached the end of its useful life, it is erased prior to disposal. Images that are stored on, or transferred to removable media such as discs or hard drives are erased or destroyed once the purpose of the recording is no longer relevant. In normal circumstances, this will be a period of 90 days. However, where a law enforcement agency is investigating a crime, images may be retained for a longer period.

Access to and disclosure of images

Access to, and disclosure of, images recorded on CCTV is restricted. This ensures that the rights of individuals are retained. Images will only be disclosed in accordance with the purposes for which they were originally collected (see "Purposes for a CCTV system" above).

The recorded images are held in a secure location. Access to recorded images is restricted to the operators of the CCTV system and to CYH management team who are authorised to view them in accordance with the purposes of the system. Viewing of recorded images takes place in an area to which other employees will not have access when the viewing is occurring. If recorded images are removed (via a digital means, such as downloaded, saved onto a memory drive or disc) for viewing purposes, this will be documented.

Disclosure of images will only be made in accordance with the purposes for which the system is used and will be limited to the following third parties:

- The Police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime or the identification and prosecution of an offender or the identification of a victim or witness
- Prosecution agencies, such as the Crown Prosecution Service
- Relevant legal representatives
- Customers in pursuit of an insurance claim. **Only if not exempted from disclosure.**
- Members of the CYH management team involved with internal disciplinary processes
- Individuals whose images have been recorded and retained (unless disclosure would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders). **Only if not exempted from disclosure.**

The CYH Data Controller (DC), or members of the CYH Management Team, acting in CYH DC's absence, will be the only people permitted to authorise the disclosure of information to external third parties listed above.

Requesting a review of CCTV

To access any CYH CCTV images, a **Request to Review form** must be completed (copies are available from CYH offices) and returned to CYH's Data Controller in person or via datacontroller@cowesyachthaven.com

All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will also be advised and recorded.

Access rights of individuals – Subject Access Request (SAR)

Under the GDPR individuals have the right to request and receive a copy of the personal data held about them, including CCTV images if they are recognisable in the images.

This is known as a **Subject Access Request** and the individual identified in the images must be the person making the request for review, and is hereafter referred to as the "Requestor".

A Subject Access Request must include:

- the date and time when the images were recorded.
- the location of the CCTV camera, so that the images can be located.
- A description of the requestor and clothing worn at the time to aid the CCTV reviewer locate the right footage and confirm whether the requestor can be established as the person in the images.
- Any further descriptive details that are considered relevant to the request.
- Two forms of identification
 - One must be photographic evidence. This could be a current passport or driving licence. This allows CYH to identify the requestor in any footage and enables CYH to fulfil its duty to ensure that information held remains secure and is satisfied that the requestor is entitled to have the requested image or footage.
 - The second form of ID must confirm the requestor's address and must match the address given on the review form.

There is no charge for processing a SAR application, however, where the request is manifestly unfounded or excessive, CYH may charge a fee for the administrative costs of complying with the request. If a fee is applicable the requestor will be advised accordingly and provided with payment methods. If no images are found or cannot be disclosed the fee will not be refunded.

Please note, if you have been the victim of a crime, involved in a road traffic collision, or are an insurance company or legal representative we will be **unable to accept a Subject Access Request** as we can only provide images **of the requestor to the requestor** and not to third parties.

If you have been the **victim of a crime**, or it is a crime-related incident, you should report the matter to the Police by calling either 999 in an emergency or 101 in a non-emergency. The Police can make a request direct to us to view our footage and, if held, it will be provided to the Investigating Officer.

If you have been involved in a **road traffic collision** or incident on CYH premises (without Police involvement), then you should contact your insurance company or solicitor to request the footage under Schedule 2, Part 1(5) of the Data Protection Act 2018. Please note, we may levy a charge for this.

If CYH is unable to comply with the request because access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders, or the data falls into a category **exempted from disclosure**, the requestor will be advised accordingly.

Responses following review

CYH will normally respond to requests within **one month** unless the request is complex, if so the time for a response would be extended by a further two months and the requestor informed in writing. The timeframe for a response does not commence until the CYH is satisfied with the identity of the requestor.

The Data Controller will first determine whether disclosure of your images will reveal third party information. **You have no rights to access CCTV images relating to or showing other people.** In this case, the images of third parties may need to be obscured if it involves an unfair intrusion into their privacy. If it is not possible to obscure the identity of a third party the CCTV image will be exempted from disclosure.

If no data is held with regard to the request, or the data falls into a category exempted from disclosure, the requestor will be advised accordingly.

Covert recording

CYH will only undertake covert recording with the written authorisation of two members of the CYH Board of Directors where there is good cause to suspect that criminal activity or equivalent malpractice is taking, or is about to take place, and where informing the individuals concerned (that the recording is taking place) would seriously prejudice its prevention or detection. Covert monitoring may include both video and audio recording.

Covert monitoring will only take place for a limited and reasonable amount of time consistent with the objective of assisting in the prevention and detection of particular suspected criminal activity or equivalent malpractice. Once the specific investigation has been completed, covert monitoring will cease.

Information obtained through covert monitoring will only be used for the prevention or detection of criminal activity or equivalent malpractice. All other information collected in the course of covert monitoring will be deleted or destroyed unless it reveals information which CYH cannot reasonably be expected to ignore.

Staff training

The Company will ensure that all employees handling CCTV images or recordings are trained in the operation and administration of the CCTV system and on the impact of the GDPR with regard to the system.

Annual review

The CYH Management Team is responsible for the operation of the CCTV system and compliance with this policy and will conduct an annual review of the use of CCTV. Any complaints or enquiries about the operation of CYH's CCTV system should be addressed to datacontroller@cowesyachthaven.com

Signed:



Dated:

14th February 2025

Name:

Daniel Jehan

Position:

Managing Director